



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Patent Examining Operations**

Applicant(s): Clive Patience  
Serial No.: 10/055,364 Art Unit: 1648  
Filed: 23 January 2002 Examiner: Foley, S.  
TITLE: GAMMA HERPES VIRUS DNA AND METHODS OF USE  
Docket No.: 61750-379

17 September 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Transmittal**

Sir:

In response to the Office Action, dated 22 June 2004, Applicant herewith submits the following:

1. Response to Office Action Under 37 C.F.R. 1.111 (4 sheets);
2. Postage-paid, Self-addressed postcard.

No fees are believed due in making this response. The Commissioner is authorized to charge payment of any fees required in filing this response or credit any overpayment to Deposit Account No. 03-0678.

**FIRST CLASS CERTIFICATE**

I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Alan J. Grant    9/17/04  
Alan J. Grant, Esq.      Date

Respectfully submitted,



Alan J. Grant, Esq.  
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**AMENDMENT AND RESPONSE UNDER 37 C.F.R. 111**

Sir:

In response to the Office Action, dated 22 June 2004, Applicant requests that the application be amended as follows: